

Panaji, 1st February, 1990 (Magha 12, 1911)

SERIES II No. 44

OFFICIAL GAZETTE



GOVERNMENT OF GOA

GOVERNMENT OF GOA

Department of Personnel

Order

No. 12/10/87-PER (A)

Resignation tendered by Capt. A. Rebello, Captain of Ports of the Government of Goa vide his letter dated 28th September 1989 is hereby accepted with effect from 1-5-1989.

Consequent upon the acceptance of the resignation tendered by Capt. A. Rebello, Captain of Ports of the Government of Goa, Capt. A. P. Mascarenhas, Deputy Captain of Ports, shall officiate as Captain of Ports in addition to his own duties until alternate arrangements are made.

By order and in the name of the Governor of Goa.

Smt. Prabha Chandran, Under Secretary (Personnel).

Panaji, 26th December, 1989.

Order

No. 6/10/84-PER (Vol. III)

Read: Order No. 6/10/84-PER (Vol. III-Part) dated 19-6-1985.

The term of deputation of Shri J. Carvalho, Grade II Officer of the Goa Civil Service, presently on deputation as Chief Officer, Ponda Municipal Council, is hereby extended for a further period of four years with effect from 1-7-1986 to 30-6-1990.

2. Shri Carvalho shall not be entitled for any deputation allowances with effect from 1-7-1989.

By order and in the name of the Governor of Goa.

Smt. Prabha Chandran, Under Secretary (Personnel).

Panaji, 27th December, 1989.

Home (General) Department

Notification

No. 2/86/82-HD (G)

In exercise of the powers conferred by sub-clause (c) of clause 8 of section 2 of the Official Secrets Act, 1923 (Central Act 19 of 1923) (hereinafter called the said Act) read with the Notification of the Government of India, Ministry of Home Affairs, New Delhi bearing No. II/21019/2/89-IS (U. S. D. II) dated 21-8-1989, the Government of Goa hereby declares the entire Anjadiv Island as "prohibited place" for the purpose of the said Act.

By order and in the name of the Governor of Goa.

A. T. Kamat, Under Secretary (Home).

Panaji, 27th December, 1989.

Revenue Department

Notification

No. 22/123/88-RD

Whereas by Government Notification No. 22/123/88-RD dated 3-10-1988 published on page 289 of Series II, No. 28 of the Official Gazette dated 13-10-1988 and in two newspapers (i) Sunaprant dated 11-10-1988 and (ii) Nabhind Times dated 13-10-1988 it was notified under section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act"), that the land specified in the Schedule appended to the said Notification (hereinafter referred to as the said land), was likely to be needed for public purpose, viz. Land Acquisition for construction of water courses No. D1-SWC 1R in the Command Area D1 and Sanvordem Branch.

And whereas, the Government of Goa (hereinafter referred to as the "Government") being of the opinion that the acquisition of the said land is urgently necessary, hereby applies the provisions of sub-section (1) and sub-section (4) of section 17 of the said Act and directs that the Collector appointed under paragraph 2 below, shall, at any time, on the expiry of fifteen days from the date of the publication of the notice relating to the said land under sub-section (1) of section 9 of the said Act, take possession of the said land.

Now, therefore, the Government hereby declares under the provisions of section 6 of the said Act, that the said land is required for the public purpose specified above.

2. The Government also hereby appoints under clause (c) of section 3 of the said Act, the Special Land Acquisition Officer, S.I.P., I.D. Gogal Margao to perform the functions of the Collector for all proceedings hereinafter to be taken in respect of the said land and directs him under section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the office of the Special Land Acquisition Officer, S.I.P., I.D. Gogal Margao till the award is made under section 11.

SCHEDULE

(Description of the said land)

Taluka: Quepem

Village: Xeldem

Survey No. Sub. Div. No.	Names of the persons believed to be interested	Area in sq. mts.
1	2	3
286 part	O: 1. Dr. Vaman Ganaba S. Xeldekar. 2. Shrivallaba Vinayak S. Xeldekar. 3. Shadashiv Sinai Xeldekar. 4. Krishna Sinai Xeldekar. 5. Prakash Sinai Xeldekar. 6. Anil Kumar Sinai Xeldekar. 7. Shrikant Sinai Xeldekar. 8. Pradeep Sinai Xeldekar.	420.00
256/1 part	O: Laddam Bhata Umrul.	475.00
256/2 part	1. Divisao Demar Cacao Applicacao. 2. Diogo Baptista Sequira E. Muihas. 3. Antonio Philip Sequira E. Mulas. 4. Ligorio Joao Paulo Sequira. T: Venku Govind Gauns Dessai.	68.00

1	2	3
255/2 part	1. Pandurang Sadashiva Y. Dessai. 2. Anas Sadashiva Gauns Dessai. 3. Sanjay Sadashiv Gauns Dessai.	15.00
47/1 part	O: 1. Monohar Vithoba Gauns Dessai. 2. Rahamkant Vithoba G. Dessai. 3. Pandurang Vithoba G. Dessai.	100.00
47/2 part	O: Bhuto Ganesh Gauns Dessai.	90.00
47/3 part	O: Shri Satari G. Devasthan.	21.00
47/4 part	— do —	15.00
"5 part	— do —	24.00
"6 part	— do —	15.00
"7 part	— do —	18.00
"8 part	— do —	30.00
48/5 part	O: Shri Sateri G. Devasthan.	85.00
40/2 part	O: 1. Bulu Ganesh Gauns Dessai. 2. Monohar Vithoba Gauns Dessai. 3. Rajanikant Vithoba Gauns Dessai. 4. Pandurang Vithoba Gauns Dessai.	170.00
40/17 part	O: Vilas Saunto Gauns Dessai.	145.00
40/19 part	O: 1. Venku Govind Gauns Dessai. 2. Anand Rama Gauns Dessai. 3. Hari G. G. Dessai.	155.00
Boundaries:		
North: S. No. 286, 256/1, Road, 255/2, 40/2, 47/1 to 8, 48/5 and 40/17 & 19.		
South: S. No. 286, 256/2, 255/2, S. No. 40/2, S. No. 47/1 to 8, 40/17 & 19 and 48/5.		
East: S. No. 47/17 & 19, 256/1 and 2.		
West: 286/1, 256/2, 40/17.		
Total		1846.00

By order and in the name of the Governor of Goa.

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 3rd January, 1990.

Notification

No. 22/183/89-RD

Whereas it appears to the Government of Goa (hereinafter referred to as "the Government") that the land specified in the Schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. Land Acquisition for Rural Water Supply Scheme to village Fatorpa in Quepem Taluka.

Now, Therefore, the Government hereby notifies, under sub-section (1) of section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contract for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed under paragraph 4 below, after the date of the publication of this Notification, will, under clause (seventh) of section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under section 6 of the said Act will be published in the Official Gazette and in two daily newspapers and public notice thereof shall be given in due course. If the acquisition is abandoned wholly or in part, the fact will also be notified in the same manner.

4. The Government further appoints, under clause (c) of section 3 of the said Act, the Deputy Collector/S. D. O., Quepem to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government also authorise, under sub-section (2) of section 4 of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector, South Goa District, Margao.
2. The Deputy Collector/S. D. O., Quepem.
3. The Executive Engineer, W. D. XX (PHE) P.W.D. Fatorda, Margao.
4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Dy. Collector/S. D. O. Quepem for a period of 30 days from the date of publication of this Notification in Official Gazette.

SCHEDULE

(Description of the said land)

Taluka: Quepem		Village: Fatorpa
Survey No. Sub. Div. No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3
76/13 part	Keshav Ram Hernekar.	100.00
Boundaries:		
North: S. No. 76/13.		
South: — do —		
East: — do —		
West: — do —		
Total		100.00

By order and in the name of the Governor of Goa.

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 8th January, 1990.

Notification

No. 22/70/89-RD

Whereas it appears to the Government of Goa (hereinafter referred to as "the Government") that the land specified in the Schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose, viz. Land Acquisition for Rural Water Supply Scheme to village Latam-barcem (Ladfe) in Bicholim Taluka.

And Whereas in the opinion of the Government the provision of sub-section (1) of section 17 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act"), are applicable.

Now, therefore, the Government hereby notifies under sub-section (1) of section 4 of the said Act that the said land is likely to be needed for the purpose specified above.

The Government further directs under sub-section (4) of section 17 of the said Act that the provisions of section 5A of the said Act shall not apply in respect of the said land.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contract for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise or any outlay commenced or improvements made thereon without the sanction of the Collector appointed under paragraph 4 below, after the date of the publication of this Notification, will, under clause (seventh) of section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under section 6 of the said Act will be published in the Official Gazette and in two daily Newspapers and public notice thereof shall be given in due course. If the acquisition is abandoned wholly or in part, the fact will also be notified in the same manner.

4. The Government further appoints under clause (c) of section 3 of the said Act, the Deputy Collector/S.D.O. Mapusa to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government also authorises, under sub-section (2) of section 4 of the said Act, the following officers to do the acts specified therein in respect of the said land.

1. The Collector, North Goa District, Panaji.
2. The Deputy Collector/S.D.O. Mapusa Bardez.
3. The Executive Engineer, Works Division XVII (PHE), P. W. D. Alto Porvorim.
4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Deputy Collector/S.D.O. Mapusa Bardez for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE

(Description of the said land)

Taluka: Bicholim

Village: Latambarcem

Survey No. Sub. Div. No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3
381/1 part	Suryakant Chandru Malik.	775.00
" /2 part	Purushottam Kashinath Sawant. Vithu Narayan Malik.	375.00

Boundaries:

North: Road, S. No. 381/2 part.

South: S. No. 381/1 part.

East: S. No. 381/1 part and
381/2 part.

West: — do —

408/3 part	Gopiki Atmaram Malik. Surya Sazaro Parab. Pandurang Sazaro Parab. Ramchandra Atma Malik.	145.00
408/4 part	Arjun Shankar Malik. Bashan Shankar Malik. Saraspati Soma Malik. Narhari Vishnu Malik. Rada Govind Malik. Vithu Narayan Malik. Anant Narayan Malik.	5.00
408/9 part	Duba Vithu Malik.	15.00

Boundaries:

North: S. No. 408/3 part, 408/4 part
and 408/9 part.

South: S. No. 408/3 part.

East: S. No. 408/3 part and
408/9 part.

West: S. No. 408/3 part.

Total 1315.00

By order and in the name of the Governor of Goa.

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 9th January, 1990.

Notification

No. 22/57/89-RD

Whereas it appears to the Government of Goa, (hereinafter referred to as "the Government") that the land specified in the Schedule hereto (hereinafter referred to as "the said land") is likely to be needed for public purpose viz. Land Acquisition for Rural Water Supply Scheme to Kerim in Pernem Taluka.

And whereas in the opinion of the Government the provisions of sub-section (1) of section 17 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act"), are applicable.

Now, therefore, the Government hereby notifies under sub-section (1) of section 4 of the said Act that the said land is likely to be needed for the purpose specified above.

The Government further directs under sub-section (4) of section 17 of the said Act that the provisions of section 5A of the said Act shall not apply in respect of the said land.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contract for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise or any outlay commenced or improvements made thereon without the sanction of the Collector appointed under paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under section 6 of the said Act will be published in the Official Gazette and in two daily newspapers and public notice thereof shall be given in due course. If the acquisition is abandoned wholly or in part, the fact will also be notified in the same manner.

4. The Government further appoints under clause (c) of section 3 of the said Act, the Deputy Collector/LA, Collectorate of North Goa District, Panaji to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government also authorises, under sub-section (2) of section 4 of the said Act, the following officers to do the acts specified therein in respect of the said land.

1. The Collector, North Goa District, Panaji.
2. The Deputy Collector/LA, Collectorate of North Goa District, Panaji.
3. The Executive Engineer, Works Division XVII (PHE) PWD, Alto Porvorim.
4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Deputy Collector/LA, Collectorate of North Goa, Panaji for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE

(Description of the said land)

Taluka: Pernem

Village: Kerim

Survey No. Sub. Div. No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3
81/4 part	H: Rajendra Vasudeo Deshpabhu. T: 1. Sahadeo Atmaram Gowedi. 2. Baburao Atmaram Gowedi.	60.00
81/15 part	H: Raghuraj Vasudeo Deshpabhu. T: 1. Uttam Raya Talkar. 2. Narcinha Ravlu Talkar.	220.00
81/16 part	H: Raghuraj Vasudeo Deshpabhu. T: Murari Jaydeo Talkar.	40.00
81/23 part	H: Raghuraj Vasudeo Deshpabhu. T: Rama Nilu Talkar.	40.00
81/26 part	H: Raghuraj Vasudeo Deshpabhu. T: Narcinha Ravlu Talkar.	40.00
81/38 part	H: Raghuraj Vasudeo Deshpabhu. T: Ruzario Francis Dias.	60.00
81/40 part	H: Raghuraj Vasudeo Deshpabhu. T: Ruzario Francis Dias.	25.00
81/42 part	H: Raghuraj Vasudeo Deshpabhu. T: Uttam Raya Talkar.	20.00
81/45 part	H: Raghuraj Vasudeo Deshpabhu. T: Vithu Aknath Talkar.	20.00
81/46 part	H: Raghuraj Vasudeo Deshpabhu. T: Raghu Bhis Talkar.	20.00

1	2	3
81/48 part	H: Raghuraj Vasudeo Deshpabhu. T: Camil Alex Dias.	22.00
81/50 part	H: Raghuraj Vasudeo Deshpabhu. T: Narcinho Ravlu Talkar.	20.00
81/55 part	H: Raghuraj Vasudeo Deshpabhu. T: Rama Nilu Talkar.	20.00
81/58 part	H: Raghuraj Vasudeo Deshpabhu. T: Murari Jaydeo Talkar.	22.00
82/53 part	H: Rajendra Vasudeo Deshpabhu. T: Vasu Bhiva Arolkar.	60.00
82/54 part	H: Rajendra Vasudeo Deshpabhu. T: Arjun Nhanu Nhanji.	160.00
82/62 part	H: Rajendra Vasudeo Deshpabhu. T: Ankush Gopal Somaji.	60.00
83 part	H: Raghuraj Vasudeo Deshpabhu.	300.00
63 part	H: Gurnath Manguesh Kerkar.	350.00

North: S. No. 80/16.

South: S. No. 63.

East: S. No. 80/4, 16, 23, 26, 33,
40, 42, 45, 46, 48, 50, 55, 58,
S. No. 82/53, 54, 62, S. No. 83
and S. No. 63.West: S. No. 81/4, 16, 23, 25,
38, 40, 42, 45, 46, 48, 50,
55, 58, S. No. 82/53, 54, 52, 62,
49, S. No. 83 and S. No. 63.

Total 1559.00

By order and in the name of the Governor of Goa.

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 10th January, 1990.

Notification

No. RD/TNC/BND/280/67/353

In pursuance of the proviso to sub-section (3) of Section 26 of the Goa, Daman and Diu Agricultural Tenancy Act, 1964, the Government hereby specify the following bund prescribed in the schedule appended hereto as protective bund for the purpose of the said proviso:—

SCHEDULE

Name of the bund	Village	Taluka	Approximate area protected (in Hectares)	Description of the bund
1	2	3	4	5
Goltem Khazan	Loutulim Racaim	Salcete	4 Ha.	The bund runs marginal to the creek of River Zuari in the East West direction which starts with the property belonging to Smt. Anita Gomes and ends with the barge workshop belonging to M/S Shirodkar and has a length of 400 mts.

By order and in the name of the Governor of Goa.

P. S. Nadkarni, Under Secretary (Revenue),

Panaji, 7th December, 1989.

Notification

No. RD/TNC/BND/280/67/357

In pursuance of the proviso to sub-section (3) of Section 26 of the Goa, Daman and Diu Agricultural Tenancy Act, 1964, the Government hereby specify the following bund prescribed in the schedule appended hereto as protective bund for the purpose of the said proviso:—

SCHEDULE

Name of the bund	Village	Taluka	Approximate area protected (in Hectares)	Description of the bund
1	2	3	4	5
Virnolem Banpad	Karapur Sarvona	Bicholim	40 Ha. (double crops)	The bund is starting from the paddy field "Virnolem" at Karapur of Bicholim Taluka. Marginal to the creek of river Mandovi and ending with the paddy field "Banpad" belonging to the Comunidade of Sarvona of Bicholim Taluka. It is running North South direction.

By order and in the name of the Governor of Goa.

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 3rd January, 1990.

Public Health Department

Order

No. 8/20/87.I/PHD

Government is pleased to declare that Shri Koyya Vijay Raj, Asstt. Drugs Controller under the Directorate of Health Services has satisfactorily completed the probation period of two years from 5-12-1986 to 4-12-1987 and 5-12-1987 to 4-12-1988.

By order and in the name of the Governor of Goa.

L. J. Meneses Pais, Under Secretary (Health).

Panaji, 19th January, 1990.

Department of Mines

Order

No. 96/417/88-Mines

In exercise of the powers conferred by sub-section (2) of section 8 of the Mines and Minerals (Regulation and Development) Act, 1957 (Central Act 67 of 1957), read with sub-rule (2) of rule 24A of the Mineral Concession Rules, 1960, the Government of Goa hereby renews the mining lease with the previous approval of the Central Government in favour of Smt. Kunda Raghuvir Gharse (hereinafter referred to as 'The Lessee'), for undertaking mining operations for Iron Ore in the area shown in the schedule appended to this Order for a period of 10 years subject to the special conditions as laid down hereunder to be incorporated in the lease deed which shall be executed by the Lessee and the Governor of Goa.

1. The Lessee shall carry out at his expenses such experiments on remedial measures as directed by the Director of Industries and Mines, Government of Goa or any other officer authorised by him and shall report the result to him.

2. The Lessee shall allow, co-operate with and provide all facilities to the experts authorised by the Government to carry out research work or experiments on remedial measures in his leased area or dumping sites.

3. The Lessee shall, at his own expenses undertake remedial measures to the satisfaction of the Director of Industries and Mines, Government of Goa (hereinafter called Director of Industries and Mines) to prevent damage to the agricultural or forest lands due to the flow of mining rejection or wastes or slimes resulting from his mining operations, within a reasonable time or such time as may be directed by the Director of Industries and Mines.

4. If the Director of Industries and Mines or the officer authorised by him in this behalf, is of the opinion that any active dump causes or will cause damage to the agricultural or forest land, which cannot be prevented, he may by order in writing, direct to stop further dumping on such dump. No such order shall however be made unless the Lessee is afforded a reasonable opportunity of stating his case.

5. The Lessee shall undertake to rehabilitate the land left over after the mining operations are concluded, through soil conservation measures to the satisfaction of the Government and within such reasonable time as the Government may by an order in writing specify.

6. In the event of the failure on the part of the Lessee to undertake the aforesaid measures within the stipulated period, the Government without prejudice to any other action it may take against the Lessee, may take the requisite steps to rehabilitate the said land and recover the expenses incurred for such work from the Lessee as arrears of land revenue.

7. The Lessee shall undertake necessary measures to consolidate the dumps by planting suitable species of grass, legumes, or trees, etc. as may be directed by the Director of Industries and Mines, from time to time.

8. The Lessee shall undertake to plant elsewhere within the leased area at least as many trees as are removed during the mining operations.

9. The Lessee shall not dump or allow it to be dumped any rejects at any point within a distance of 100 metres from the bank of any river or nallah and 50 metres from the lease boundary, except with the previous written permission of the Government.

10. The Lessee shall not discharge or allow it to be discharged any muddy and slimy water from the beneficiation/washing plant and shall provide settling tanks of proper design and adequate capacity for settling solids so that only decanted water may overflow.

11. The Lessee shall undertake the work of desilting of drains and streams outside the leased area periodically to prevent them from being choked and shall provide check dams to facilitate the settling of suspended solids.

12. The Lessee shall take necessary steps not to overload or allow it to be overloaded the trucks carrying the ore/rejects from the leased area to any loading point or stockyard.

13. The Lessee shall make and pay such reasonable compensation to the owner or tenant or occupant of the land or property situated in the leased area or in the vicinity of the leased area, which is damaged or injured or disturbed as a result of mining operations or due to the flow of mining rejects, slimes or wastes from the mine as the case may be as may be assessed by the Collector, South Goa in accordance with the Law in force on the subject and shall indemnify or keep indemnified fully and completely the Government against all claims which may be made by any person or persons in respect of any such damage, injury or disturbance and all costs and expenses in connection therewith.

14. The Lessee shall obtain surface rights or obtain consent of the owner/occupier of land before entering the land for commencement of mining operations in the area.

Smt. Kunda Raghuvir Gharse shall on peril of revocation of this Order execute within a period of 180 days from the date of communication of this Order a deed of lease as contemplated under rule 31 of the Mineral Concession Rules, 1960.

SCHEDULE

District	Taluka	Village	Area in hectares
South Goa	Sanguem	Tudou	76.8700 Ha.

By order and in the name of the Governor of Goa.

Subhash V. Elekar, Under Secretary (Mines).

Panaji, 20th November, 1989.

Department of Labour

Notification

No. 24/7/80-LAB

In exercise of the powers conferred by regulation 76 of the Employees' State Insurance (General) Regulations, 1950 (hereinafter called the 'said Regulation') and in supersession of Government Notification No. 24/7/80-ILD dated 29-10-1987, the Government of Goa hereby constitutes an Appeal Tribunal consisting of the Civil Judge, Senior Division and Chief Judicial Magistrate, Margao, for the purposes of the said Regulations.

By order and in the name of the Governor of Goa.

Subhash V. Elekar, Under Secretary (Labour).

Panaji, 19th January, 1990.

Finance (Expenditure) Department

Office Memorandum

No. 11-1-88-Fin (Exp)

1. In terms of Rule 7(2) of the Goa, Daman and Diu (Absorbed Employees' Conditions of Service) Rules, 1965, a final chance had been given in the year 1976 to the absorbed employees in this State to opt for pensionary benefits as admissible under the E.F.U. or the C.C.S. (Pension) Rules, 1972, vide Finance Department's Circular No. 6/4-77-Fin (Control)/TPCR/73 dated 27-3-76. The Goa Government Employees' Association has represented that there is a wide range of differences in pensionary benefits between EFU and CCS (Pension) Rules, 1972, for the latter is subjected to revision from time to time while the former is not. It is true that certain benefits were given to the pensioners with effect from 1-1-86 under the CCS (Pension) Rules, 1972 on the basis of the recommendations of the F.P.C.C. It is, therefore, fair and just to give a fresh option to the absorbed employees who have opted for pensionary benefits under the E.F.U.

2. The Government of Goa have, therefore, now decided that the absorbed employees who had earlier opted for pensionary benefits as admissible under E.F.U. in terms of Rule 7(2) of Goa, Daman and Diu (Absorbed Employees' Conditions of Service) Rules, 1965 may be allowed to exercise fresh option to shift over to the C.C.S (Pension) Rules, 1972 subject to the following conditions:—

1. The option shall be open to absorbed employees covered under E.F.U. who were in service as on 1-1-86.
2. The option shall be exercised in writing in the prescribed form (enclosed herewith) within 3 months from the date of issue of this O.M. The option once exercised shall be final.
3. The option shall be intimated to the Accounts Officer if the absorbed employee is a Gazetted Officer and to the Head of Office if the absorbed employee is a non-gazetted employee.
4. The pension contribution paid/payable under E.F.U. upto the date of receipt of the option by the prescribed authority shall not be refunded.
5. In case of absorbed employees who retired between 1-1-86 and date of issue of this O.M., the Head of Office shall recompute the pensionary benefits under CSR, subject to option, and forward the revised pension papers to Accounts Officer for further action. Pensionary benefits received under E.F.U. shall be adjusted against pensionary benefits due under the CCS (Pension) Rules, 1972.
6. In case of absorbed employees who died between 1-1-86 and date of issue of this O.M., the Head of office shall work out the benefits admissible under both the Schemes and sanction the more advantageous of the two. While commutation benefit in such cases will not be available, ex-gratia to the family shall be replaced by family pension. Pensionary benefits already received under E.F.U. shall be adjusted against pensionary benefits due under the CCS (Pension) Rules, 1972.

3. All Heads of Departments/Offices are requested to bring this O.M. to the notice of affected employees well considering the fact that this is the last chance to exercise the option.

K. M. Nambiar, Under Secretary (Finance Exp.).

Panaji, 15th November, 1989.

FORM OF OPTION TO BE EXERCISED IN TERMS OF GOVERNMENT O. M. NO. 11-1-88-Fin(Exp) DATED 15-11-1989.

[Under Rule 7(2) of the Goa, Daman and Diu (Absorbed Employees Conditions of Service) Rules, 1965]

Having fully understood the comparative advantages and disadvantages of the pension scheme under the Civil Services Regulations including the Liberalized pension schemes of the Government of India's and the pension scheme under the Statute of Overseas Functionaries as applicable in my case:

(i) I opt for the Scheme of pension as per provisions made in sub-rule (2) of Rule 7 of the Goa, Daman and Diu (Absorbed Employees Conditions of Service) Rules, 1965, under the Civil Services Regulation including the Liberalized Pension Scheme in substitution of the existing pensionary benefits as now admissible to me under the Statute of Overseas Functionaries.

(ii) I opt to retain the existing pensionary benefits under the Statute of Overseas Functionaries.

Signature

Place and date

Name in full (in Block Letters)

.....

Designation

Office

Witnesses:

i) Signature

(ii) Signature

Designation

(Name of the witness in full in block letters) ...

(Name of the witness in full in block letters) ...

Designation

.....

Office:

Office

(i)

Note: Strike out item (1) or (ii) in accordance with the option exercised.

(ii) in case of illiterate employees, against signature they may put their Left Thumb Impression in which case the certificate in the following form should be attached with the option form:

CERTIFICATE

(Applicable only in the case of class IV and illiterate employees and to be signed by a responsible officer of the Administration in which the optee is working)

I certify that the relevant rules were explained to in my presence and he has exercised his option with full knowledge of the rules.

Signature

(Full name in block letters)

.....

Designation

Office

Place and date

Law (Establishment) Department

Order

No. 3-21-82/LD

Read: Government Order No. 3-21-82/LD dated 25th October, 1989.

In the Government Order of even number dated 25-10-1989, in Sr. No. 3, for item (i), the following shall be substituted, namely:—

"(i) the fees @ Rs. 350/- per day of hearing from the day she starts from Bombay to the day she returns to Bombay".

By order and in the name of the Governor of Goa.

Maria A. Rodrigues, Under Secretary (Law).

Panaji, 5th January, 1990.

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